



Draft Minutes IT Investment Board Legislative Review Committee

January 28, 2005

MEMBERS PRESENT:

Hiram Johnson
The Honorable Eugene Huang
Scott Pattison

MEMBERS ABSENT:

Jimmy Hazel

VITA STAFF PRESENT:

Lem Stewart, Commonwealth Chief Information Officer
Cheryl Clark, Commonwealth Deputy Chief Information Officer
Judy Napier, Assistant Secretary of Technology
Tom Falat
Judy Marchand
Susan Woolley
Eric Link
Diane Horvath
Barb Rudolph
Suzanne Piland
Roz Witherspoon

Welcome

The Vice-Chair, Hiram Johnson, called the meeting of the Virginia Information Technology Investment Board Legislative Review Committee to order at 2:10 p.m. He welcomed all in attendance and stated that the purpose of the meeting was to discuss legislative information only, and that no actions would be taken.

The roll was called and three of the four member committee were recorded as present.

Review of 2005 Legislation, Diane Horvath, VITA Legal and Legislative Services

Ms. Horvath referenced an attachment, "Lobbyist-In-A-Box," an enterprise system tool used by VITA staff in tracking legislation. Twelve bills were highlighted as follows:

HB 2051, Delegate Sam Nixon

Requires approval of the Chief Information Officer of the Commonwealth for the purchase of information technology and telecommunications goods and services from a public auction or off of another public body's contract.

HB 2054 - Delegate Sam Nixon

Allows the Virginia Information Technologies Agency (VITA) to promulgate administrative rules concerning the use of alternative dispute resolution in lieu of the provisions set forth in the Virginia Public Procurement Act concerning procurement protests. The Chief Information Officer of the Commonwealth must report to the General Assembly on the implementation of the rules.

HB 2672 - Delegate Kenneth Plum

Amends an existing meetings exemption to allow for closed meetings to discuss records exempt from public disclosure relating to the Public-Private Education Facilities and Infrastructure Act (PPEA).

HB 2866 – Delegate Vincent Callahan

Restructured Higher Education Financial and Administrative Operations Act.

HJ 670 – Delegate Morgan Griffith

Allows the General Assembly to suspend and nullify administrative rules and regulations by a majority vote of the members elected to each house and authorizes the standing committees of each house and joint legislative commissions designated by the General Assembly to suspend rules and regulations when the General Assembly is not in regular session.

SB 711 – Delegate Edward Houck

Reduces the notice required for electronic communication meetings from 30 days to seven working days. The bill also (i) eliminates the 25 percent limitation on the number of electronic meetings held annually, (ii) eliminates the requirement that an audio or audio/visual recording be made of the electronic communication meeting, but retains the requirement that minutes be taken pursuant to § 2.2-3707, (iii) allows for the conduct of closed meetings during electronic meetings, and (iv) changes the annual reporting requirement from the Virginia Information Technology Agency to the Virginia Freedom of Information Advisory Council and the Joint Commission on Technology and Science and expands the type of information required to be reported.

SB 1027 – Senator Steven Newman

Dissolves the Virginia Information Providers Network as a separate division of the Virginia Information Technologies Agency (VITA) and gives its authority directly to VITA.

SB 1107 – Senator Walter Stosch

Requires responsible public entities (RPEs) to adopt procedures establishing an accelerated review mechanism for high priority projects with a dedicated revenue source involving complex financing plans and for less complicated projects involving simpler financing arrangements under the Public-Private Transportation Act (PPTA). The bill also authorizes (i) RPE's to enter into comprehensive agreements with multiple private entities, (ii) pre-development agreements between the RPEs and private entities, and (iii) negotiation of developers' fees, management fees, and similar financial incentives to attract private sector investment.

SB 1159 – Senator Kenneth Stolle

Amends the Board's enabling legislation to resolve a potential constitutional debt conflict. The bill also removes the exemptions to E-911 deployment, excludes governments from the surcharge collection, and establishes a deadline for late funding requests of July 1 each year. In addition, the bill clarifies the appeals process and expands the Board's responsibilities to include development of a single, statewide electronic addressing database.

SB 1249 – Senator Devolites-Davis

Designates the Secretary of Technology as the chair of the Information Technology Investment Board. Currently the Board elects the chair from among its membership for two-year terms.

SB 1252 – Senator Jay O'Brien

Changes the requirement for periodic security audits of government databases from periodically to semi-annually. The bill also requires the CIO to report the results of these audits semi-annually to the Governor and the General Assembly.

SB 1314 – Senator John Chichester

Directs governing boards of the public institutions of higher education to adopt biennially six-year plans addressing the academic, financial, and enrollment plans and various objectives for the relevant institution. The State Council of Higher Education (SCHEV) will annually review and assess the six-year plans, identify any disparities between the institutional plans and statewide needs and objectives, and make recommendations for the revision of such plans for consideration by the respective public institutions, the Governor, and the General Assembly...

In the ensuing discussion, Ms. Horvath stated that there were also many procurement bills being monitored.

Hiram Johnson stated that all three higher education bills are “works in progress” and the outcome is uncertain. He directed VITA staff to track legislation closely.

Review of 2005 Budget Amendments - Barb Rudolph, VITA Budget, Planning and Analysis (summary attached)

Barb Rudolph stated that there had been extensive review of the half sheets from both the House and Senate, compiling anything that had an impact on VITA. She gave a brief overview and summarization of the handout: “Summary of House and Senate Member Amendments to Budget Bill with VITA/IT Impact.” All \$ amounts indicated in italics denoted Non-general Fund appropriations. Within the Senate amendments, Ms. Rudolph focused attention to Item 454, a language amendment removing State Police from VITA proposed by Senator Stolle.

VITA’s budget amendments were highlighted to denote identical budget amendment appropriations:

Item 463 Amd. #1h (Delegate May) /Senate Amd. #1s (Devolites-Davis) - \$2,100,000 - relocate state Data Center and VITA offices

Item 466 Amd. #1h (Delegate May) / Senate Amd. #3s (Devolites-Davis) – 3 FTEs - \$1,329,756 – Provide project management tools for IT oversight

Item 466 Amd. #2h (Delegate Sherwood / Senate Amd. #1s (Senator Potts) – 2 FTEs - \$400,000 – Update base map and address file

An additional Senate Amendment, Item 464 Amd. #1s (Senator O’Brien) was added for \$3,270,794 – 22 FTEs for the establishment of a risk management database audits/ESOC (Enterprise Security Operation Center). Of the 22 FTEs, 13 positions would audit databases and 9 positions would man the Enterprise Security Operations Center.

Assistant Secretary of Technology Judy Napier commented that the Administration and VITA support the additional amendment. The amendment was in relation to SB 1252, regarding security audits of state agencies and public institutions of higher education. The bill was amended and passed Senate General Laws and referred to Senate Finance because of the fiscal

impact. She further indicated that the Administration will continue working with the Auditor of Public Accounts if the budget amendment is not passed.

Secretary of Technology Perspective, Judy Napier, Assistant Secretary of Technology

Assistant Secretary Judy Napier made the following comments on the progression of the 2005 General Assembly Session:

- Things are moving quicker than last year's session
- There is no sense of orchestrated animosity towards VITA
- There is anticipated give/take regarding budget amendments
- Cross-over will occur in mid-February

Ms. Napier commended the work of the VITA legislative team.

Other Business

None

Public Comment

None

Adjourn

There being no further discussion, the meeting adjourned at 2:50 p.m.